

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 7628-A

In Re: Lowell Mountain Wind Project )  
Stormwater Permit #6216-INDC )  
(Appeal of Energize Vermont, Inc., et al) )

Docket No. 7628-B

In Re: Lowell Mountain Wind Project )  
Stormwater Permit #INDC.1 )  
(Appeal of Energize Vermont, Inc. et al) )

Docket No. 7628-C

In Re: Lowell Mountain Wind Project )  
Stormwater Permit #6216-INDS )  
(Appeal of Energize Vermont, Inc., et al) )

Docket No. 7628-D

In Re: Lowell Mountain Wind Project )  
Water Quality Certification )  
(Appeal of Energize Vermont, Inc. et al) )

and

Docket No. 7628-E

In Re: Lowell Mountain Wind Project )  
Wetland Permit #2008-364 )  
(Appeal of Energize Vermont, Inc., et al) )

Order entered: 10/27/2011

**SCHEDULING ORDER**

At the prehearing conference held on October 14, 2011, we instructed the parties to file by October 21, 2011, an agreed-upon schedule or, if no agreement were reached, comments on the schedule. On October 21, Green Mountain Power Corporation ("GMP") filed an amended

proposed schedule that, GMP represented, was also supported by the Appellants and the Agency of Natural Resources ("ANR"). No other party filed comments on the schedule.

We have reviewed the proposed schedule and adopt it, with three minor modifications. First, the proposed schedule provides that responses to intervention motions are due by November 4, 2011, which is one week after the October 28 intervention deadline. We modify this so that responses must be filed within one week of the date the intervention motion is filed, so that if the motion is filed earlier than the October 28 deadline, responses are not delayed until November 4.<sup>1</sup>

Second, the proposed schedule did not specifically indicate a deadline for testimony from the Department of Public Service ("DPS"), if it chooses to file testimony. We have included the DPS in the schedule we adopt.

Third, the proposed schedule sets the technical hearings for the week of May 28, 2012. Due to limitations in the Board's schedule, the hearings will be held on May 29 and 30, June 5 and 6, and, if needed, one or more days between June 11 and 14, 2012.

Therefore, the schedule for these proceedings shall be as follows:

<u>Event</u>	<u>Date</u>
Appellants to File Definitive List of Issues	10/24/11
Intervention Deadline	10/28/11
Responses to Intervention	11/4/11
Motions on List of Issues	11/14/11
Response to Motions on List of Issues	11/28/11
GMP Direct Testimony and Exhibits	12/1/11
Discovery Requests Served on GMP	12/15/11
Discovery Responses Due	1/12/12
Appellants/Intervenors/ANR/DPS Direct Testimony and Exhibits	2/2/12

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1. An exception, as noted in our October 19, 2011, Prehearing Conference Memorandum, is that if the Towns of Albany and Craftsbury do not choose to modify their pending motion to intervene, responses to that pending motion are due by November 4.

Discovery Requests Served on Appellants/Intervenor/ANR/DPS	2/16/12
Discovery Responses Due	3/15/12
All Parties Rebuttal Testimony and Exhibits	4/5/12
Discovery Requests on Rebuttal	4/19/12
Rebuttal Discovery Responses Due	5/17/12
Technical Hearings	5/29, 5/30, 6/5, 6/6, and as needed 6/11 through 6/14/12
Briefs	3 weeks after completion of hearings
Reply Briefs	2 weeks after briefs

**SO ORDERED.**

Dated at Montpelier, Vermont, this 27<sup>th</sup> day of October, 2011.

<u>s/James Volz</u>	)	PUBLIC SERVICE
	)	
	)	
<u>s/David C. Coen</u>	)	BOARD
	)	
	)	
<u>s/John D. Burke</u>	)	OF VERMONT

OFFICE OF THE CLERK

FILED: October 27, 2011

ATTEST: s/Judith C. Whitney  
Deputy Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)*